

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUIS ALBERTO MEZA ROJO,  
Plaintiff,  
v.  
AMADOR JAIL, et al.,  
Defendants.

No. 2:22-cv-02137-DAD-JDP (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
THIS ACTION

(Doc. No. 32)

Plaintiff Luis Alberto Meza Rojo is a former state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 23, 2024, Magistrate Judge Dennis M. Cota held a settlement conference at which plaintiff and defendant Martin agreed to a voluntary dismissal of this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (Doc. No. 28.) On May 23, 2024, counsel for defendant Martin filed a status report indicating that he had mailed plaintiff a copy of the stipulated dismissal and a self-addressed stamp envelope to plaintiff, but that plaintiff had not signed and mailed that stipulation for voluntary dismissal back. (Doc. No. 29 at 2.) To address this situation, on June 17, 2024, the assigned magistrate judge ordered plaintiff to file a response to defendant's status report within fourteen (14) days of that order's issuance. (Doc. No. 30 at 2.)

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1 Plaintiff has not filed a response to defendant's status report and the time in which to do so has  
2 passed.

3 Accordingly, on October 8, 2024, the assigned magistrate judge issued findings and  
4 recommendations recommending that this action be dismissed, without prejudice, due to  
5 plaintiff's failure to prosecute and failure to comply with the court's order. (Doc. No. 32.) The  
6 findings and recommendations were served upon plaintiff and contained notice that any  
7 objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) To date,  
8 plaintiff has not filed any objections and the time in which to do so has also passed.

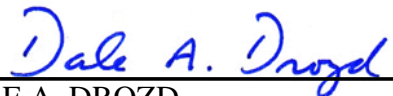
9 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a  
10 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the  
11 pending findings and recommendations are supported by the record and proper analysis.

12 Accordingly,

- 13 1. The findings and recommendations issued on October 8, 2024 (Doc. No. 32) are  
14 adopted in full;
- 15 2. This action is dismissed, without prejudice, due to plaintiff's failure to prosecute  
16 and failure to comply with a court order; and
- 17 3. The Clerk of the Court is directed to close this case.

18 IT IS SO ORDERED.

19 Dated: **December 20, 2024**

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21 DALE A. DROZD  
22 UNITED STATES DISTRICT JUDGE  
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